

Message Text

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ORIGIN EB-11

INFO OCT-01 EUR-25 EA-11 ADP-00 STR-08 TAR-02 RSC-01 /059 R

DRAFTED BY EB/OT/STA:WTDIROLL:CLJ

EXT. 20641:8/23/73

APPROVED BY EB/OT/STA:WTDIROLL

STR:AGARLAND

TARCOM:JBOYD

EUR/NE:CFLOYD

----- 035551

R 231941Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY LONDON

INFO AMEMBASSY STOCKHOLM

AMEMBASSY TOKYO

USMISSION EC BRUSSELS

UNCLAS STATE 167882

E.O. 11652: N/A

TAGS: ETRD, EIND, UK

SUBJECT: TARIFF COMMISSION REPORT ON BALL BEARINGS

REF: LONDON 3385; STATE A-1313

1. THE TARIFF COMMISSION IS NOT OBLIGATED BY UNITED STATES TRADE LEGISLATION TO ACCEPT PROPOSALS PUT FORWARD BY PETITIONERS IN ESCAPE CLAUSE PROCEEDINGS BUT DOES TAKE THEM UNDER ADVISEMENT. THE COMMISSION MAKES ITS DETERMINATIONS ON THE BASIS OF AN INDEPENDENT ASSESSMENT OF THE INFORMATION ASSEMBLED DURING ITS INVESTIGATION INCLUDING THE EVIDENCE PRESENTED DURING THE PUBLIC HEARINGS, BRIEFS SUBMITTED BY INTERESTED PARTIES, AND DATA OBTAINED FROM DOMESTIC PRODUCERS, IMPORTERS, AND OTHER GOVERNMENT AGENCIES.

2. IF, AS IN THE CASE OF BALL BEARINGS, THE COMMISSION FINDS SERIOUS INJURY, THE TRADE EXPANSION ACT PROVIDES THE PROBLEM MAY BE HANDLED IN SEVERAL WAYS. THE PRESIDENT MAY (A) PROVIDE TARIFF ADJUSTMENT OR IMPOSE OTHER IMPORT
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RESTRICTIONS, (B) AUTHORIZE THE FIRMS AND/OR WORKERS

INVOLVED TO REQUEST CERTIFICATION OF ELIGIBILITY FOR
ADJUSTMENT ASSISTANCE, (C) PROVIDE A COMBINATION OF (A)
AND (B), AND (D) ENTER INTO ORDERLY MARKETING AGREEMENTS
TO LIMIT IMPORTERS INTO THE UNITED STATES. HOWEVER, IF
A TARIFF COMMISSION FINDING ON TARIFF RATES OR OTHER IMPORT

RESTRICTIONS IS NOT IMPLEMENTED WITHIN 60 DAYS, A REPORT
MUST BE SUBMITTED TO THE CONGRESS.

3. IN HANDLING PROBLEMS OF THIS KIND, WE ENDEAVOR TO
ARRIVE AT SOLUTIONS DEALING WITH FINDINGS OF SERIOUS
INJURY IN A MANNER COMPATIBLE WITH OUR GATT UNDERTAKINGS.
ARTICLE XIII;2 PROVIDES THAT IN APPLYING IMPORT RESTRIC-
TIONS TO ANY PRODUCT, CONTRACTING PARTIES SHALL AIM AT A
DISTRIBUTION OF TRADE APPROACHING AS CLOSELY AS POSSIBLE
THE SHARES WHICH THE VARIOUS CONTRACTING PARTIES MIGHT BE
EXPECTED TO OBTAIN IN THE ABSENCE OF SUCH RESTRICTIONS.
IN THE CASE OF A FINDING, SUCH AS BALL BEARINGS, WHERE
THE PRINCIPAL SUPPLIER HAS ACCOUNTED FOR MORE THAN HALF
OF UNITED STATES IMPORTS OVER A PERIOD OF SEVERAL YEARS,
A UNIFORM ALLOCATION AMONG SUPPLYING COUNTRIES (IN THE
CASE OF BALL BEARINGS THERE ARE MORE THAN 10) WOULD
CREATE A VARIETY OF DIFFICULTIES. ROGERS

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: IMPORT CONTROLS, BEARINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 AUG 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE167882
Document Source: CORE
Document Unique ID: 00
Drafter: WTDIROLL:CLJ
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730819/aaaaanz.tel
Line Count: 85
Locator: TEXT ON-LINE
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: LONDON 3385; STATE A-1313
Review Action: RELEASED, APPROVED
Review Authority: willialc
Review Comment: n/a
Review Content Flags:
Review Date: 06 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06-Aug-2001 by reddocgw>; APPROVED <16-Aug-2001 by willialc>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: TARIFF COMMISSION REPORT ON BALL BEARINGS
TAGS: ETRD, EIND, UK, US
To: LONDON
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005